IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

WP(C).No. 37854 of 2007(F)

PETITIONER:

K.K.SWAMINATHAN, S/O. KRISHNANKUTTY
CHAIRMAN, SHINES INDIA (P) LTD.
VIDHYA BHAVAN, THONNALLUR MURI
PANDALAM, PATHANAMTHITTA DIST.

BY ADV. SRI.M.SREEKUMAR

RESPONDENTS:

ANAS P.J.
PUTHEN VEEDU HOUSE
A.N. PURAM, MULLACKAL VILLAGE
AMBALAPUZHA, ALAPPUZHA DIST.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

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W.P.C. NO. 37854 OF 2007

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Dated this the 19th day of December, 2007.

J U D G M E N T

This writ petition is filed seeking a direction to the Principal Subordinate Judge, Thiruvananthapuram to communicate the lifting of injunction orders with respect to the plaint schedule properties in O.S.6/06. I am informed by the learned counsel for the writ petitioner that the plaint has been rejected under Order 7 Rule 11 CPC and therefore nothing further remains to be done and so automatically the interim injunction also stand vacated and therefore an intimation has been given to the Sub Registrar about the said fact. When a plaint is rejected naturally the other interlocutory proceedings also has to be put an end to by passing appropriate orders on those applications and if the Court has communicated to a public office regarding the existence of an interim injunction, the Court is duty bound to inform that public office regarding the lifting of injunction

also. Therefore I direct the Subordinate Judge, Thiruvananthapuram to consider Ext.P3 immediately on the reopening of the Court, pass appropriate orders and communicate it to the Sub Registrar's office regarding the same.

The writ petition is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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